

REMARKS

In response to the Office Action mailed April 4, 2008, the applicant elects the claims identified as Group I, namely claims 1-5, 7-9, 11-13 and 37-43. Accordingly, claims 45-59 have been cancelled without prejudice. The applicant reserves the right to pursue the cancelled subject matter in one or more continuation or divisional applications.

The Examiner has also issued a species election requirement (pages 3-4) in which the following species were identified:

- i. The calcium phosphate coating is an electrochemically deposited coating;
- ii. The calcium phosphate coating is an electrophoretically deposited coating;
- iii. The calcium phosphate coating is a sol gel deposited coating;
- iv. The calcium phosphate coating is an aerosol deposited coating;
- v. The calcium phosphate coating is a dip-coated deposited coating; and
- vi. The calcium phosphate coating is a spin-coated deposited coating.

In response to the species requirement, the applicant elects species i., ie. electrochemically deposited coating. Claims 38 and 54 specifically read on this species. Claims 1 and 44 are generic. It is understood that upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitation of an allowed generic claims as provided by 37 CFR 1.141.

The applicant has done its best to comply with the Examiner's group and species instructions and we trust the examination on the merits can now proceed. However, if anything continues to remain outstanding, the applicant would appreciate it if the Examiner would telephone the applicant's attorney at (604) 669-3432.

Respectfully submitted,

By:


Gerald O.S. Oyen
Registration No. 27,280
tel: 604.669.3432 ext. 8935
fax: 604.681.4081
e-mail: goyen@patentable.com

Vancouver, B.C.
CANADA